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June 17, 2020

VIA, ELECTRONIC FILING

The Honorable Jocelyn Boyd,
 Chief Clerk/Executive Director,
 The Public Service Commission of South Carolina
 101 Executive Center Drive
 Columbia, South Carolina 29210

**Re: Request for Withdrawal of Petitions for Reconsideration and/or Limited Rehearing
 in Docket No. 2019-184-E.**

Ms. Boyd:

The undersigned represents the South Carolina Solar Business Alliance, Inc., (“SCSBA”) and the additional undersigned represents their clients as indicated. Please share this Request with the Commissioners.

On March 24, 2020, the Public Service Commission of South Carolina (“Commission”) issued an Order¹, in Docket No. 2019-184-E which granted a “...limited rehearing... shall be confined strictly to the narrow matter of PPA duration of longer than ten years and related terms and conditions” as provided for under S.C. Code Ann. § 58-41-20(F) which provides (in part) that:

“Electrical utilities, subject to approval of the commission, shall offer to enter into fixed price power purchase agreements with small power producers for the purchase of energy and capacity at avoided cost, with commercially reasonable terms and a duration of ten years. The commission may also approve commercially reasonable fixed price power purchase agreements with a duration longer than ten years, which must contain additional terms, conditions, and/or rate structures as proposed by intervening parties and approved by the commission, including, but not limited to, a reduction in the contract price relative to the ten year avoided cost.”

¹ Order No. 2020-244.

Section 58-41-20(F)(2) goes on to provide that after a utility has executed interconnection agreements and power purchase agreements with qualifying small power production facilities located in South Carolina with an aggregate nameplate capacity equal to twenty percent of the previous five-year average of the electrical utility's South Carolina retail peak load, "...that electrical utility shall offer to enter into fixed price power purchase agreements with small power producers for the purchase of energy and capacity at avoided cost, with the terms, conditions, rates, and terms of length for contracts as determined by the commission in a separate docket or in a proceeding conducted pursuant to subsection (A)."

Subsequent to this Commission's issuance of its Order granting rehearing, the undersigned, who each filed Petitions for Reconsideration or Rehearing, have been informed by Dominion Energy South Carolina ("DESC") that since the original proceeding in this Docket DESC has executed interconnection agreements and power purchase agreements with qualifying small power production facilities located in South Carolina with an aggregate nameplate capacity equal to or in excess of twenty percent of the previous five-year average of DESC's retail peak load.

Given this development, the tenor requirements within S.C. Code § 58-41-20(F)(1) are moot and no longer apply to DESC. Rather, Section 58-41-20(F)(2) now applies and this Commission may determine the contract length and other terms and conditions applicable to the contracts DESC is required to offer to small power producers, without the requirement of a reduction in price relative to the ten year avoided cost.

Due to this change in circumstances, and in the interest of judicial economy, the undersigned, who each filed Petitions for Reconsideration or Rehearing, respectfully request that this Commission administratively close this Limited Rehearing proceeding ordered in Docket No. 2019-184-E² and submit that it will be appropriate for this Commission to consider the issue of contract length and appropriate terms and conditions in the next avoided cost docket, as contemplated by S.C. Code Ann. § 58-41-20(F)(2). In the interim, DESC is required, per this Commission-approved settlement agreement between SCE&G, DESC, and SBA in the 2017 merger docket, to offer power purchase agreements with a minimum of ten-year terms until December 31, 2023.

The undersigned respectfully makes this request and asks that, this Commission treat this correspondence as a Motion for Withdrawal.

² Order No. 2020-244.

Respectfully Submitted
WHITT LAW FIRM, LLC

/s/Richard L. Whitt
Richard L. Whitt,
As Counsel for the South Carolina Solar Business Alliance, Inc.

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Enclosure

Cc: All Parties of Record in Docket 2019-184-E, *via email and electronic filing*